Emergency Procurement Flexibilities

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Overview

- Current Emergency Acquisition Processes
- Additional Emergency Acquisition Policy/ Guidance
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Current Emergency Acquisition Processes

- **HUBZone Small Business Contract** – sole source acquisition from qualified HUBZone small business; up to $5M for supplies or $3M for services. FAR 19.1306 (PKPB point of contact – Brenda Hopson)
- **Oral Solicitation** – May be used if processing written solicitation would delay acquisition to the detriment of the Government and synopsis is not required. FAR 15.203(f) (PKPB point of contact – Brenda Hopson)
- **Letter Contract or Undefinitized Order** – "preliminary" contract document used when Government requires performance to begin immediately and there's not enough time to negotiate a definitive contract. FAR 16.603 & DFARS 217.74 (PKPB point of contact – Chuck Pipkin)
- **Government Purchase Card (GPC) Micro-Purchase** – "Credit Card" purchase up to $2,500. FAR 13.301 (PKPB point of contact – Derwin Laster)

Current Emergency Acquisition Processes (continued)

- **Limited Source Selection** – Source selection may be limited when: (1) there is only one or a limited number of responsible sources; (2) there is unusual and compelling urgency; and (3) disclosure of the agency's need would compromise the national security. FAR 6.302 (PKPB point of contact – Terry Kulp)
- **Simplified Acquisition Procedures (SAP) –** Used for acquisitions under $100K; as a test program, may be used for acquisition of commercial items up to $5M if solicitation issued between 24 Jan 2003 and 24 Nov 2003. FAR 13.500(e) (PKPB point of contact – Henry Goswick)
- **Simplified Acquisition Procedures (SAP) for Contingency, Humanitarian, or Peacekeeping Operations –** $200K threshold if awarded/performed outside U.S. (PKPB point of contact – Henry Goswick)

Additional Emergency Acquisition Policy/Guidance

- **Section 852, Title VIII, Subtitle F, of the Homeland Security Act (HSA) of 2002, Public Law 107-296, provides additional acquisition flexibilities:**
  - for procurement of property or services used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack
  - applicable to procurements with solicitations issued between 24 Jan 2003 and 24 Nov 2003
- **President's Management Council memorandum dated 30 May 2003 and OFPP "Guidelines for Using Emergency Procurement Flexibilities" provide implementation guidance**

Homeland Security Act Acquisition Flexibilities

- **Simplified Acquisition Procedures (SAP) –** Acquisition of supplies/services used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack **may be considered commercial acquisition**, for solicitation issued between 24 Jan 2003 and 24 Nov 2003. FAR 12.102(f)(1)
- **HUBZone Small Business Contract –** HSA authorizes **exceeding the specified thresholds** if: (1) acquisition is used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack; (2) solicitation issued between 24 Jan 2003 and 24 Nov 2003; and (3) appropriate approvals have been obtained. FAR 19.1306(c)

Homeland Security Act Acquisition Flexibilities (continued)

- **Government Purchase Card (GPC) Micro-Purchase –** If acquisition is used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack, HSA **increases dollar threshold to $7,500 if award is made between 24 Jan 2003 and 24 Nov 2003; or $15K if award is made and funds obligated on or before 30 Sep 2003**. FAR 13.201(g)

- **Simplified Acquisition Procedures (SAP) for Contingency, Humanitarian, or Peacekeeping Operations – HSA increases threshold to $250K if awarded/performed in U.S. and $500K if awarded/performed outside U.S.**

For Additional Information

To view the "**Guidelines for Using Emergency Procurement Flexibilities**" – go to "Surge/Emergency Contracting Procedures" on the PKPB home page.

For additional assistance, contact the cognizant FAR points of contact in PKPB.

Questions?